

ORDINANCE NO. _____, SERIES 2007

AN ORDINANCE AMENDING SECTIONS 150.040 – 150.046 AND 150.050, AND DELETING SECTIONS 150.047 – 150.049 OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT CODE OF ORDINANCES (“CODE”) PERTAINING TO INSTALLATION OF ELECTRICAL EQUIPMENT; ADDING A NEW SECTION 150.047 TO GIVE ELECTRICAL INSPECTORS THE AUTHORITY TO PREVENT ELECTRICAL WORK AT ANY SITE WHERE IMMINENT DANGER TO LIFE OR PROPERTY EXISTS, AND TO ASSESS A COROLLARY PENALTY; AND DELETING CODE SECTION 150.085 PERTAINING TO ELECTRICAL CONTRACTOR IDENTIFICATION AND LICENSE REQUIREMENTS.

SPONSOR: Councilwoman Ellen Call, District 26

BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (“COUNCIL”) AS FOLLOWS:

SECTION I. Sections 150.040 – 150.046 of the Code are hereby amended to read as follows:

§ 150.040 TITLE AND PURPOSE.

(A) This ordinance may be cited as "Louisville/Jefferson County Metro Electrical Standards."

(B) The object of this ordinance is to reduce hazards from electrical causes by providing minimum standards for electrical installation in ~~Jefferson County~~ Louisville Metro.

§ 150.041 DEFINITIONS ~~BOARD. The Board of Electrical Control, as defined in § 150.048 of this ordinance.~~

CODE. The National Electrical Code as adopted in the Kentucky State Uniform Building/Residential Codes.

DIRECTOR. The Director of the Louisville/Jefferson County Metro Department of Inspections, Permits and Licenses ~~Division of Code Enforcement.~~

DEPARTMENT. The Louisville/Jefferson County Metro Department of Electrical Inspections, Permits and Licenses, or its successor.

ELECTRICAL CONTRACTOR. Any person possessing an electrical contractor license issued by the Commonwealth of Kentucky in accordance with § 150.047 of this ordinance.

~~ELECTRICAL MAINTENANCE WORK. Any minor repair work performed by an employee who possesses an electrical maintenance license issued in accordance with this ordinance.~~

ELECTRICAL WORK. Pertains to the installation, alteration or repair of wires and conduits for the purpose of transmitting electricity, and the fixtures and equipment in connection therewith.,

INSPECTOR. The electrical inspector employed by the ~~Louisville/Jefferson County Department of Building Inspection.~~

~~MAINTENANCE OCCUPATIONAL ELECTRICIAN. A person who holds occupational license under § 150.047(A)(2) of this ordinance.~~

~~MASTER ELECTRICIAN. A person possessing a license issued in accordance with § 150.047 of this ordinance.~~

MINOR REPAIR WORK. Work such as replacing snap switches, replacing fuses, lamp sockets and receptacles.

REPAIR. The repair of the damaged or faulty existing wiring facilities to their original condition before damage or fault occurred.

§ 150.042 APPLICATION.

The provisions of this ordinance shall apply to all electrical installations and equipment located within ~~Jefferson County~~ Louisville Metro including wiring or apparatus powered by private plants, unless the electrical installation is exempted as referenced in the Kentucky Building/Residential Codes, KRS 227, KRS 227A or within this ordinance.

(A) Installation of public utility made pursuant to the generation or distribution of said utility.

(B) Installation of low voltage communication transmitting equipment for the operation of the Metro Government radio, fire , EMS, and police dispatch systems.

(C) Other incorporated cities within Louisville Metro ~~Jefferson County~~ and which maintain their own electrical inspection division.

§ 150.043 ADMINISTRATION.

This ordinance shall be administered by the ~~d~~Department of Electrical ~~Division of the Louisville/Jefferson County Division of Code Enforcement.~~

§ 150.044 RIGHT OF ENTRY OF INSPECTOR.

(A) Whenever the inspector shall have cause to suspect that a defect exists in an electrical system located on any property subject to the provisions of this ordinance, **the inspector** may demand entry during reasonable hours upon displaying ~~badge of authority or other~~ credentials in order to discharge **the inspector's** official duties which include the inspection or testing of any electrical installation. If the owner or occupant refuses to admit the inspector or hinders or

interferes with **the inspector** in any manner, the inspector shall have the power to order the discontinuance of electrical service.

(B) The inspector shall have the power to disconnect or order the discontinuance of electrical services to conductors or apparatus found to be in violation of the electrical codes.

§ 150.045 PERMITS.

(A) Prior to the performance of any electrical work, a permit must be obtained from the Department of ~~Electrical Inspection~~ as required by the KY Building/Residential Codes & KRS 227.

(B) Applications for electrical permits shall state the names of the owners and contractor name and their State license number, the location where the work is to be performed and provide a full description of the work to be done. Applications for permits must be countersigned by a Commonwealth of Kentucky licensed ~~master electrician holding a contractor's license or employed by a~~ licensed electrical contractor.

(C) Any person applying for a permit to make an electrical installation on his own premise, solely occupied by him and his family, shall not be required to have their application countersigned by a Commonwealth of Kentucky licensed electrical contractor. However, they shall be required to complete the home owner electrical application affidavit and permit application forms and obtain a permit for the work to be performed prior to initiating the work ~~supervising electrician~~.

~~(D)~~ Applications for permits for new electrical work or extension to existing work at a plant or firm holding a maintenance occupational license must be signed by the representative of the plant or firm holding the electrical maintenance license (electrical contractors license is not a prerequisite for this type permit).

~~(E)~~ If work authorized by an electrical permit is not commenced within six months after the date thereof, such permit shall become void.

~~(F)~~ (D) An electrical permit shall be valid only for the location stated in the application.

~~(G)~~ (E) The ~~Electrical Inspection Division~~ Department may require a full set of plans and specifications for any proposed electrical work before a permit is issued.

~~(H)~~ (F) During festivals, conventions, carnivals, or similar occasions of a temporary nature, special permits shall be requested and may be granted by the ~~Division~~ Department for the installation of an approved system of lighting or as a source of electrical energy to power equipment and electrical rides. Such permits shall be issued for a period of not more than 30 days and may be renewed only at the discretion of the Department.

~~(I)~~ (G) A permit for temporary electrical current for a period of 90 days may be granted by the Department where an urgent necessity is shown to exist and where no danger will result. The permit requests must be in writing by a Commonwealth of Kentucky licensed electrical contractor.

~~(J)~~ (H) Any permit shall be void where:

~~————(1)——~~ ~~W~~work covered by such permit is not commenced within six months of the date of issuance or stopped for a period of six months..

~~(2)——~~ ~~The master electrician who signed the permit gives written notice to the department of his desire to be released from further responsibility.~~

~~(K)——~~ ~~Should a master electrician leave or be discharged from the employ of any person having a contractors license, notice shall be given to the department within five days and all work under the direction of such master electrician shall stand suspended until employment of another qualified master electrician~~

§ 150.046 INSPECTIONS.

(A) The inspector shall at a minimum be notified ~~in writing~~ by any person, firm, or corporation installing any new electrical work, first when rough-in work is complete and, second, when the entire job is complete. The inspector, upon receipt of such notice, shall inspect the work and if the work conforms with the provisions of the electrical code, **the inspector** shall post a notice of approval at or near the work. ~~Master electrician shall sign all requests for such inspections.~~

(B) No electrical wiring shall be covered or concealed until approved by the inspector. Should the inspector condemn any of the work for not being in compliance with the code, notice shall be given to the person, firm, or corporation engaged in the installation of the work.

(C) Within 15 days after such notification or within such further reasonable time requested, the work shall be altered or removed, as the case may require to fully comply with the code.

(D) The inspector is hereby empowered to re-inspect all existing wiring, appliances, devices, and equipment coming within the scope of the code. When the installation of any such wiring, appliances, devices and equipment is found to be in a dangerous or unsafe condition, the person, firm or corporation owning, using, or operating the same shall be notified in writing and shall make the necessary repairs or changes required to place such wiring, appliances, devices and equipment in a safe condition. Such work must be completed within 15 days or within the timeframe established by the inspector to protect the public. In addition, a penalty may be assessed pursuant to Section 150.050(B) if the inspector finds that the electrical work is in violation of the National Electrical Code, without a permit or is in an imminent danger to life or property, as set forth in Section 150.047.

(E) The inspector is hereby empowered to disconnect or order the discontinuance of electrical service to such conductors or apparatus found to be in a dangerous or unsafe condition or to have been installed without a permit or not in compliance with the code. **The inspector** shall attach thereto a notice stating the reasons for such action and it shall be unlawful for any person to remove said notice or to reconnect such conductors or apparatus until the same is placed in a safe and secure condition and approved by the inspector.

(F) No electrical connections are to be made without the approval of the inspector. The inspector is empowered to order the disconnection of any electrical installation or equipment which has been connected before the approval for service has been given. Failure to comply with the order is a violation of this ordinance.

(G) The inspector shall, upon request, issue a certificate of final inspection when the electrical installation is completed and found to comply with the code. No certificate will be issued for incomplete work.

SECTION II. Sections 150.047 – 150.049 of the Code are hereby deleted and a new section 150.047 is hereby added to read as follows:

§ 150.047 ~~ELECTRICAL OCCUPATION LICENSES.~~

~~———— (A) ——— There shall be three classes of electrical occupation licenses.~~

~~———— (1) ——— Electrical Contractors License. Any person, firm or corporation who engages in the business of installation, alteration, maintenance or repair of electrical wiring, equipment apparatus or fixtures in Jefferson County is required to have an electrical contractors license.~~

~~———— (2) ——— Electrical Maintenance License. Any person, firm or corporation, excepting service companies holding franchises, who regularly employs a competent electrical maintenance person performing work only in or about his own building or property for such employer's own purpose and use only, is required to have an electrical maintenance license. Such licensee need not have the license provided for in subsection (A)(1) of this ordinance.~~

~~————— (3) ——— Master Electrician License. Any person who directs, installs, supervises, or controls the installation, alteration, repair or maintenance of electrical equipment, wires, or apparatus by others is required to have a supervising electricians license.~~

~~————— (B) ——— Licenses issued under the provisions of this ordinance shall be non-transferable and shall be posted in a conspicuous place in the licensee's place of business.~~

~~————— (C) ——— Any person who desires to procure a license as required by this ordinance shall make application to the Department of Electrical Inspection for the class or kind of license desired giving his name, address, and location of business. The application shall be made on a form provided by the Department. Upon the filing of such application with the Department and the payment of the prescribed license fee, the Department shall issue a license to the applicant to perform work pertaining to the class of occupational license for which application was made, provided that before a master electrical license is issued to any person, he must first have successfully met the requirements and passed the examination as provided in subsection (D) of this ordinance.~~

~~————— (D) ——— Applicants for a master electrician occupational license shall be not less than six years experience in the installation, alteration, repair or maintenance of electrical equipment, wires and apparatus with a minimum of one year experience in performing electrical installations which meet the requirements of the National Electrical Code and shall submit to an examination before the Board of Electrical Control concerning his fitness and qualifications as~~

~~to the installation of electrical wiring and apparatus. Applicants shall be required to receive an average of not less than 75% on such examination. A certificate of graduation from or an affidavit of attendance at a recognized technical school or college may, at the discretion of the Electrical Control Board, be credited as part of the required six years.~~

~~—— (E) — All occupational licenses shall be issued for the calendar year or fraction thereof and shall be obtained on or before January 31 of each year and shall expire at midnight on December 31. No license may be renewed after a period of 31 days from the date of expiration.~~

ELECTRICAL WORK PERFORMED WHERE IMMINENT DANGER TO LIFE OR PROPERTY EXISTS.

(A) In accordance with KRS 227.450 to 227.500, if in the judgment of an inspector, imminent danger to life or property exists, an inspector may issue a stop-work order regarding any electrical work at an inspection site and/or issue a citation in an amount as set forth in Section 150.050(B) herein. For purposes of this subsection, failure to obtain a permit in accordance with Section 150.045 prior to the performance of any electrical work shall be deemed to be an imminent danger to life or property.

(B) The findings of the inspector under subsection (A) of this Section shall be presumed to be correct until Metro Government, the Commonwealth of Kentucky Office of Housing and Building Construction, or the party affected by the findings demonstrates that it is more likely than not that the inspector was incorrect in his or her findings.

~~§ 150.048 BOARD OF ELECTRICAL CONTROL RESERVED.~~

~~——— (A) — There shall be appointed by Mayor, subject to the approval of the Metro Council, a Board of Electrical Control consisting of seven members, one of whom shall be an electrical engineer, one an electrical contractor representing commercial and industrial work, one an electrical contractor representing residential work, one a representative of a public service company, one a fire department official, one at large representative of the electrical industry representing union electrical contractors and one at large representative of the electrical industry representing independent electrical contractors. The members of said board shall be appointed for a term of three years and shall be subject to removal for cause by the Mayor with the consent of Metro Council.~~

~~——— (B) — (1) — The Director of Building Inspection and the chief electrical inspector shall be members ex-officio of the Board of Electrical Control and one shall preside at all meetings of the Board. The Board shall meet at least once every two months in regular session, however, nothing herein shall prevent the Board from meeting more often. Each appointed member shall receive \$10 per day for each regular session that he attends. A majority of the Board shall constitute a quorum. The members of the Board shall elect a secretary to keep the record of all meetings.~~

~~————— (2) — The Board shall have the authority to revoke any license that has been issued incident to an application containing false information.~~

~~————— (3) — If a complaint is made respecting the character of work done by the holder of any occupational license issued under this ordinance, the Board~~

~~shall immediately cause written notice of such complaint to be mailed to the licensee, such notice shall state the nature of the complaint and the time which the Board has fixed for a hearing thereon. The license holder may appear at such hearing. If, after the hearing, the Board is of the opinion that the complaint is justified, it shall have the power to suspend the occupation license of such a licensee.~~

~~————— (4) — The Board may stop the issuance of electrical permits to a licensee if there is a failure by the licensee to correct any defect, error, or deficiency in any work performed by him within 15 calendar days after notification thereof. The Department of Electrical Inspection shall be promptly notified of the correction of any defect, error or deficiency.~~

~~————— (5) — In addition to the authority invested herein, the Board is charged with the duty to act as an advisory body to the chief electrical inspector with the power to formulate such rules or regulations as may be necessary to cover conditions which are not otherwise covered by the code and to render upon request an interpretation of the code. Any such rules or regulations shall be filed with the Building Director and Mayor and shall not be operative until approved by both.~~

~~§ 150.049 EXAMINING BOARD RESERVED.~~

~~There shall be appointed an examining board composed of seven members. The Board shall consist of two fire department officials, two consulting electrical engineers or architects, two electrical contractors and one utility~~

~~company official. No appointee shall serve more than two consecutive terms. A term shall be three years.~~

SECTION III. Section 150.050 of the Code is hereby amended to read as follows:

§ 150.050 PENALTY.

(A) Except as set forth in subsection (B), below, of this Section, Any person who violates any provisions of this ordinance shall be fined not less than \$10 nor more than \$1,000. Each day the violation continues shall constitute a separate offense.

(B) A violation of Section 150.047 of this Chapter shall be classified as a civil offense and shall be enforced through the Code Enforcement Board as provided in §§ 32.275 through 32.290, or as it may be amended. The penalty for violation of Section 150.047 of this Chapter shall be one thousand dollars (\$1,000) for the first offense, and two thousand dollars (\$2,000) for each subsequent offense. Each day that a violation continues shall constitute a separate offense.

SECTION IV. Section 150.085 of the Code is hereby deleted as follows:

§ 150.085 ~~ELECTRICAL CONTRACTOR IDENTIFICATION AND ELECTRIC LICENSES REQUIREMENTS RESERVED.~~

~~(A) Each identified electrical contractor shall have a licensed master electrician as a full time employee.~~

~~(B) All licensed vehicles used in the operation of an electrical contractor are to be properly identified and such identification shall be visible on~~

~~the outside of the vehicle at all times. The licensed vehicle shall bear the name of the company and identification number. All such identification shall be in letters not smaller than three inches high and must be kept legible at all times.~~

~~—————(C) Identification shall be from January 1 to December 31.~~

~~—————(D) Any person seeking to obtain a master electrician license shall make application to the Louisville/Jefferson County Electrical Examining Board.~~

~~—————(1) The applicant must first have met one of the following requirements:~~

~~—————(a) The applicant shall submit to Code Enforcement a duly notarized application, wherein all pertinent information and experience shall be included, to participate in a written examination approved by the Commonwealth of Kentucky Department of Housing, Building and Construction, for competency as a licensed master electrician.~~

~~—————(b) The applicant has achieved a passing score on the approved electrical contractor examination administered by the Commonwealth of Kentucky Department of Housing, Building and Construction's written examination described above, provided such person furnish Code Enforcement with a bona fide copy of his/her electrical contractor examination certificate awarded thereto.~~

~~—————(c) The applicant shall submit to a written examination approved by the Commonwealth of Kentucky, or shall provide proper and adequate evidence that he/she has achieved a passing score on an examination~~

~~required by another state or municipality and approved by the Louisville/Jefferson County Code Enforcement or the Commonwealth of Kentucky.~~

~~————— (2) The applicant shall fulfill one of the following qualifications:~~

~~————— (a) Applicant must have five years experience in electrical installation within the scope and in compliance with the safety regulations of the National Electric Code. Four years or 8,000 hours of the experience must be as an apprentice electrician or equivalent.~~

~~————— (b) Applicant must be a graduate electrical engineer, registered by the Commonwealth of Kentucky Board of Registration for Professional Engineers and having actively participated for no less than one year following his registration.~~

~~————— (3) Prior to renewal the master electrician shall provide written proof each year that he/she has obtained six hours of continuing education from the National Electrical Contractors Association or Independent Electrical Contractors Association or the Commonwealth of Kentucky Department of Housing, Building and Construction or any other education approved by the Electrical Control Board.~~

~~————— (4) A master electrician may be only affiliated with one identified contractor.~~

~~————— (5) Licensing shall be from January 1 to December 31. Upon the expiration date of licensing, a master electrician may have a 90-day extension of his existing license to facilitate the completion of renewal requirement for the next licensing cycle.~~

SECTION V. This Ordinance shall take effect upon its passage and approval.

Kathleen J. Herron
Metro Council Clerk

Rick Blackwell
President of the Council

Jerry E. Abramson
Mayor

Approved: _____
Date

APPROVED AS TO FORM AND LEGALITY:

Irv Maze
Jefferson County Attorney

BY: _____
Draft 5 01/09/07 11:45 a.m. epm